

House Hearing of H.B. 4610

April 28, 2009

Good Morning! My name is Dick Kleinhardt, from Clare County, a dairy farmer and avid horseback trail rider. I'm President of Pigeon River and Beyond, Back Country Horsemen of Michigan. I would like to thank Representative Sheltrown and the entire committee for listening to "our side of the story"!

I would like to thank Representative Moore, for stepping up to the plate and introducing this piece of legislation. Also a special thanks to the many legislators who have heard our concerns. The bi-partisan support on the issue is great!

I come here today representing an 8 billion dollar industry to Michigan's economy; and as well representing the 80,000 recreational trail riders from across this state.

The straw that has finally broken the camel's back was the hasty decision by the DNR to virtually close down the 118,000 acre Pigeon River State Forest leaving us with 15 remote camps closed and placing us on 280 miles of dangerous road riding equivalent. We can ride the roads at home. The Pigeon is our largest state forest below the bridge; home of the largest free ranging elk herd east of the Mississippi. My family and I have enjoyed riding this area for the last 25 years. It's diversity in the ecological system is wonderful. As a dairy farmer I know what it is to be cognizant of soil type sensitivities; I know what it is to be respectful of the environment as well as the ramifications of erosion. The reason I say this is that our family's livelihood is dependent upon our respect for the land. The better we treat it, the better it treats us. I might add that our day to day farming practices and decisions are based on sound science. I guess you could say I am an original and true environmentalist.

The land use management order by Director Humphries was devastating with total disregard for our right to use our public land. There was as well total disregard to the hundreds of folks who purchased land surrounding the forest with the sole intent to be able to ride out their back yard and into the Pigeon. They are now outlaws! Literally hundreds of beautiful trails and two tracks have been taken away from our riding enjoyment.

The 15 remote campsites where we like to camp are just that-remote. They are quiet areas where you can just unwind without cell phones, TV or the rat race of life. They only accommodate 2 campers /site. If you do the math on this: 118,000 divided by 15 sites = 7866 acres/camp, hardly a negative impact on the environment.

I recently had a chance to talk with a former classmate of mine from CHS, Senator Debbie Stabenow. Debbie said if for no other reason alone why we would want to further hurt Michigan's economy! We spoke one half hour about this issue and she encouraged me to do exactly everything I've done to this point. Even pursue a bill!

This past Thursday I had a great opportunity to talk to the Governor 1:1 about this. She was up in Clare talking about the stimulus program after her presentation I was introduced to her by former Rep. Moolenaar. She certainly did listen when I said that I represent 80,000 trail riders and the equine industry contributes 8 Billion dollars to the state's economy. She said 8 Billion!!!! I replied yes Governor, 8 Billion! I provided her with a packet of information that included Michigan Horse Council's pie chart that verifies those figures. I informed her about the bi-partisan momentum we are receiving on H.B.4610 and said that this is in fact a "WE THE PEOPLE" issue. In her packet was an invitation to our upcoming cowboy picnic this July as well as some great posts from our on-line petition! I asked the Governor to look at the financial implications of this bill as it relates to boosting Michigan's economy; and I mentioned that the cost to the state is zero! I told her that by passage of this bill that you Governor could take credit to be the 1st state in the nation to pass "Right to Ride" legislation. I think our state is ready for some positive news! At the Federal Level, the equivalent of what we are advocating through this bill is the "Equine Heritage Act!" and it is receiving great bi-partisan support! The Governor seemed very willing to listen and genuinely interested.

I told her about the Pigeon River issue and about the closure of thousands of acres of state forests lands and listing them as state game areas which now eliminate trail riding. I in particular told her of the 7,000 acres impacted in Lapeer in 2001 and the 6,000 acres in Gladwin in 2003. These closures through land classification changes were not based on sound science but rather arbitrary opinions driven by special interest groups. I mentioned that I Goggled up 108 state game areas and only in 2 is horseback riding allowed. I impressed upon her the tourism dollars we are missing, not only from our own citizens, who are traveling to other states to ride, but from the missed opportunities to have folks from the Midwest come to Michigan to ride like they used to. Our State offers the best climate during the summer plus we offer more than the other states in diversity and beauty. I mentioned that we don't pull our big rigs with Nissans and Toyotas; but rather with Fords, Dodges and Chevys. Our issue is a huge issue to Michigan's economy. I hope that Governor Granholm recognizes this.

A year ago, April 5th, I spoke at the huge DNR Rally in Gaylord where I met Bill O'Neill, a high level forestry manager with the DNR, who when asked the question, what is driving the virtual closing of the PRC, he stated that there has been a lot of pressure from fringe groups. Five days later I testified at the NRC meeting where I didn't hear anything about fringe group pressure but rather a propaganda campaign filled with ludicrous claims:

1. User conflict: truth is in my 25 years of riding the PRC I've never had one conflict. The hikers and bikers ask if they can pet my horses!
2. Noxious weeds: truth is we have 6 scientific studies that de-bunk this.
3. Horses are driving the Elk from the Pigeon: truth is the Rocky Mtn. Elk Foundation found this laughable- they said don't they realize that's how we get close to elk to hunt them?
4. PRC should be managed to a higher standard: truth is that by admitting that that is the truth then one could assume that the DNR is willing to manage all other state land to a lower standard.
5. Federal funding is in jeopardy for unregulated equestrian activity according to an official pre-audit survey: truth is after suspicions about such claims we sought help from 11 state reps, 4 state senators and U.S. Congressman Dave Camp. We learned that an official pre-audit survey wasn't even filed. In fact Deputy Director Koch stated in the "True North" magazine that "the DNR has yet to receive any complaints from federal officials about conflicting usage". Federal Funds, in fact were not in jeopardy, just as we surmised.

I did communicate with Dave Smethurst who serves on the Pigeon River Advisory Council. He chaired the 3 person horse committee. His committee was recommending a year moratorium on any changes. Dave told me that they wanted to do it once and do it right. He asked the PRAC, "What's the Hurry"? He told me that this whole thing was a bunch of bunk. He said to me, how would you feel if your committee's input to the issue was usurped by another committee and the finding were reversed? That blew me away! Here is a man, hand picked by the DNR and he is telling me this! I hope you're getting the picture as to why we are in the mess we are in.

But wait, it gets even more interesting Dave told me that every thing at one point looked as though it was going to be OK with the year moratorium to work things out but then bang, enter the Michigan Resource Stewards. The Resource Stewards are a small group of environmentalists and retired DNR folks who attend all NRC meetings. They attempt to micro-manage DNR policy. Through the discovery and power of the internet we discovered their minutes from March 07.

In the minutes it gave specific recommendations were given to the DNR as to how to handle the equestrian issue at the PRC. They said that the 15 remote sites should be closed down. They were against a year moratorium. They were in favor of the 3 circle

loop rides. Director Humphries, on the May 8th, 08 signing gave "carte blanche" approval to all of the Michigan Resource Stewards recommendations!

During the April 2008 NRC hearing the wife of one of the stewards stated, **"We must protect the Pigeon River from consumer use."**! If in fact that is true why was there an \$83,000 renovation project to the Pickerel Lake people camp which sets in the PRC.

So now you know who Bill O'Neill was talking about when he said that "fringe group pressure" caused this. The Michigan Resource Stewards minutes are submitted for public record and are in your packet.

I will say that the trail riding community is coming together as a clear singular united voice. We have partnered with a national group know as Back Country Horsemen of America. They have had great success across the country in reversing land use orders. Their mantra is that miss-statements are perceived as truths, unless challenged. We are now challenging! We are not going away; as a matter of fact our tenacity was greatly underestimated. **We the People love this great country; We the People love this great state. We the People are asking you, our elected officials to intervene in our behalf. We the People have empowered you through the election process. We respectfully and cordially ask for your consideration and the passage of H.B. 4610**

Sincerely,

Dick Kleinhardt